

IN THE UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF PUERTO RICO

UNITED STATES OF AMERICA,

Plaintiff,

v.

CASE NO. 12-2039 (GAG)

**COMMONWEALTH OF PUERTO RICO,
et al.,**

Defendants.

**SCHEDULING ORDER: PONCE PUBLIC HEARING ON THE PUERTO RICO
POLICE REFORM**

The Second Public Court Hearing and status conference in the captioned case is set for Thursday, October 22, 2015, and Friday, October 23, 2015 at 9:00 a.m. at the Luis A. Ferré United States Courthouse in Ponce, Puerto Rico. The Court will first meet in camera at 8:30 a.m. with the Technical Compliance Advisor (“TCA”) and his team, including his legal and constitutional advisors, as well as counsel for the United States and Commonwealth of Puerto Rico. The purpose of this and all forthcoming public hearings is to inform the Court and public of the progress on the work being conducted in implementing the Police Reform thus far as well as to hear in an open judicial forum all upcoming plans and ensuing steps that are required to be taken to assure that the reform of the Puerto Rico Police Department (“PRPD”) is proceeding as per the Agreement for the Sustainable Reform of the Puerto Rico Police Department (hereinafter referred to as the “Agreement” and at other times “Police Reform”). The Court is committed to transparency and seeks to ensure that the structural police reform lives up to its potential, meeting its goal of holistic

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1 and sustainable reform, while guaranteeing and encouraging public access to important
2 information concerning all local communities throughout this important process. The parties and
3 attendees shall adhere to the guidelines set forth as follows.

4 First all communications by the parties and scheduled speakers in federal court must be
5 conducted in the English language. For the present proceedings, the Court shall, however address
6 the deponents, and entertain their respective testimonies in the language of Cervantes. However,
7 in order to comply with the English language requirement (see 48 U.S.C. § 864) the parties will
8 have present at all times a certified court interpreter who will conduct simultaneous translation.
9 Thus, the complete historical record of the two days of proceedings shall entirely be in the
10 language of Shakespeare.

11 Second, this hearing will be open to the general public. Students are encouraged to attend.
12 The media, as usual, is particularly welcomed. Members of the press should contact the office of
13 Attorney Alfredo Castellanos Bayouth, Constitutional and Legal Advisor to the Technical
14 Compliance Advisor, at (787)-641-8447, in order to confirm their assistance and to secure access
15 to the exclusive area assigned for media. Also, any group that may require special assistance
16 shall contact Attorney Castellanos. **THE COURT REQUESTS THAT THE GENERAL**
17 **PUBLIC ARRIVE AN HOUR PRIOR TO THE BEGINNING OF THE HEARING SO**
18 **THAT AN ORDERLY SECURITY PROCESS CAN ASSIST THE COURT IN**
19 **COMMENCING AT THE SCHEDULED TIME. SEATING WILL BE AVAILABLE AND**
20 **LIMITED TO SEATING CAPACITY ONLY.** The Court further informs that dining facilities
21 are available at the first floor of the Court House in Ponce and that special parking facilities with
22 coordinated security and traffic measures have been obtained to accommodate all visitors and
23 deponents.

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1 In its efforts to gather information and assert the Reform's progress, the Court has
2 scheduled seven deponents for the first day of the hearing, Thursday, October 22, 2015. The
3 parties will commence the proceedings with a brief opening statement at 9:00 a.m. The attendance
4 of José Caldero López, the Police Superintendent; Maritere Rivera Corujo, Esq., Governor's
5 Personal Representative, and the Honorable Cesar Miranda, Attorney General of the
6 Commonwealth of Puerto Rico is confirmed. After the parties' introductory remarks and a
7 statement from the Court, the remainder of the scheduled hearing will proceed as follows. The
8 first deponent shall be the Honorable Rafael Hernández Colón, former Governor of the
9 Commonwealth of Puerto Rico,¹ who will speak from 9:15 a.m. until 10:30 a.m. Thereafter,
10 Honorable Dr. María Meléndez Altieri, Mayor of Ponce, will address the Court from 10:45 a.m.
11 until noon. The Court will recess for lunch between noon and 1:30 p.m. Thereafter, Mrs.
12 Georgina Candal, Esq., President of the Civil Rights Commission will speak from 1:30 p.m. until
13 2:45 p.m. Subsequently, Professor Fernando Torres Martínez, Esq. and Professor Octavio J. Capó
14 Pérez, Esq., two distinguished faculty members from the Pontifical Catholic University School of
15 Law, will address the court from 3:00 p.m. until 3:45 p.m. Afterwards, Coronel Héctor Agosto
16 Rodríguez, Ponce Area Police Commander, and Coronel Clementina Vega, head of the Puerto
17 Rico Police Department Reform Unit, will address the Court from 4:00 p.m. until 5:00 p.m. Said
18 officers of the Puerto Rico Police Department are free to select their respective turns and they will
19 be authorized to make brief reply statements to any relevant matter that may have been brought to
20 the attention of the Court and the public during the course of the day.

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23 ¹ Also former Senate President and Attorney General.

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On Friday, October 23, 2015 there are eight speaker-deponents scheduled to appear. Mrs. Wanda Vásquez Garced, Esq., Commonwealth's Woman's Advocate, who will speak from 9:10 a.m. until 10:00 a.m. Mrs. Tatty Escobar, Councilor for the Puerto Rico State Rehabilitation Council, will speak from 10:15 a.m. until 11:30 a.m. Mr. William Ramírez, Esq., Executive Director of the American Civil Liberties Union, will address the Court from 11:30 a.m. until 12:00 p.m. The Court will then recess for lunch between noon and 1:30 p.m. Thereafter, Mr. Roberto Pérez Santoni "Papo Christian", Community Leader will address the Court from 1:30 p.m. until 2:00 p.m. Ms. Olga Orraca will then speak on behalf of the LGBTQ community from 2:00 p.m. until 2:30 p.m. A yet to be selected member of the Dominican Community, possibly the Consul of the Dominican Republic in Puerto Rico, will address the Court from 2:30 p.m. until 3:00 p.m. Next, on behalf of GRUCORPO, an organization comprised of: Espacios Abiertos – who will be represented in the hearing by Mrs. Mari Mari Narváez; Alianza Laura Aponte por la Paz Social (ALAPAS) – who will be represented in the hearing by Mrs. Myra Rivera; Amnistía Internacional, Sección de Puerto Rico – who will be represented in the hearing by Mr. Rubén Kondrup; Asian Community & Youth Association, Corp. (ACYA) – who will be represented in the hearing by Mr. Stephen Chang; Comité Amplio para la Búsqueda de la Equidad (CABE) – who will be represented in the hearing by Mr. Joey Pons; Clínica de Asistencia Legal, UPR – who will be represented in the hearing by Mrs. Nora Vargas; Colegio de Abogados – who will be represented in the hearing by Mr. Osvaldo Toledo; Coordinadora Paz para la Mujer – who will be represented in the hearing by Mrs. Vilma González; Instituto de Investigación y Promoción de los Derechos Humanos; Intercambios PR – who will be represented in the hearing by Mr. Rafael Torruellas; Proyecto Matria; Sociedad de Asistencia Legal – who will be represented in the hearing by Mrs. Verónica Vélez; Taller Lésbico Creativo – who will be represented in the hearing by Ms. Olga

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1 Orraca, Mr. Josué González (of the ACLU) will address the Court from 3:15 p.m. until 3:45 p.m..
2 It is imperative that all members that make an appearance during the hearing on behalf of the
3 abovementioned groups and before Mr. González's testimony identify themselves for purposes of
4 the record. The Court has received a representation that at least five members of each individual
5 organization will be present during Mr. González testimony.

6 A final five minute segment will be provided to the parties so that they may address any
7 relevant issue that the may deem necessary in relation to any matter that may have been addressed
8 by any of the guest speakers during the hearing. Then, a closing statement will be received by the
9 Court from Colonel Arnaldo Claudio, TCA who will be allowed an opportunity to address the
10 Court regarding the matters that are scheduled to be addressed during the two days of Ponce
11 Hearings, and any other matter that he may deem important to bring to the attention of the Court
12 and the public in general regarding the Police Reform.

13 Third, the Court has identified the primary topics that will be discussed in this second
14 public hearing, which are areas that are generating public concern regarding Community Outreach
15 and Involvement, as well as other related issues.

16 Fourth, the Court stresses that this hearing and this proceeding in general is not adversarial
17 in nature. The spirit of genuine collaboration and mutual assistance shall guide all levels of the
18 Reform —this and future hearings are no exception. The Court exhorts all panelists to focus their
19 respective testimonies to matters concerning the Agreement. The Court intends on adhering to the
20 scheduled itinerary with certain rigor. Any additional comments, concerns and/or suggestions that
21 the speakers may have but time constraints may not permit the same, may be submitted in written
22 form through the Office of the TCA, prior to or following the hearing. This Court is adamant in
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1 advancing the involvement of the community in this extremely important endeavor for the People
2 of Puerto Rico.

3 Finally, public hearings such as the one scheduled here, will assist the Court in promoting
4 the engagement and interaction of the public through the reform process and achieve the ultimate
5 objective of transforming the PRPD into a top notch law enforcement entity that effectively
6 serves the Community in a Constitutional manner. The Court instructs the TCA and Attorney
7 Alfredo Castellanos Bayouth, to deliver a copy of the present order to all scheduled panelists,
8 The Clerk's Office for the United States Bankruptcy Court for the District of Puerto Rico in
9 Ponce, The Clerk's Office for the United States District Court for the District of Puerto Rico, the
10 U.S. Marshal, and any other individual that the TCA and Attorney Castellanos may deem
11 necessary for purposes of the Ponce Hearing.

12 **SO ORDERED.**

13 In San Juan, Puerto Rico this 14th day of October, 2015.

14 *s/ Gustavo A. Gelpí*

15 GUSTAVO A. GELPI

16 United States District Judge
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